

BEFORE THE BOARD OF EDUCATIONAL EXAMINERS  
OF THE STATE OF IOWA

RECEIVED  
EXECUTIVE DIRECTOR  
BOARD OF EDUCATIONAL EXAMINERS

AUG 06 2018

---

In the matter of:	)	BOEE Case No. 18-37
	)	Folder No. 1019666
<b>MACKENZIE K. VAN ZANTE,</b>	)	
	)	<b>COMBINED STATEMENT OF</b>
Respondent.	)	<b>CHARGES, SETTLEMENT</b>
	)	<b>AGREEMENT, AND FINAL ORDER</b>

---

In accordance with the provisions of Iowa Code sections 17A.12(5) and 272.2(4) and 282 IAC 11.4(6), and with full knowledge of the right to demand a formal hearing before the Board upon the pending complaint prior to the imposition of sanction upon his license, the Respondent expressly waives the right to a disciplinary hearing and notifies the Board of his desire to resolve the pending complaint through means of informal disposition.

The Respondent concedes the jurisdiction of the Board for all issues relevant hereto and voluntarily consents to the State's counsel presenting this agreement to the Board with the terms provided. If the Board does not accept the terms of this agreement, the disciplinary hearing will be rescheduled and the stipulations contained herein are not binding upon the Respondent and will not be presented against him at the time of hearing without further agreement of the Respondent.

Board approval of this settlement shall constitute resolution of this matter and will be entered as a FINAL ORDER of the Board.

**NOTICE OF HEARING**

A hearing in this matter will not be held, as the State and Respondent have entered into the following consent agreement in lieu of scheduling a contested case hearing. If the Board does not accept this Combined Statement of Charges, Settlement Agreement, and Final Order, the matter may be set for hearing in accordance with 282 Iowa Administrative Code rule 11.7.

**STATEMENT OF CHARGES**

**Count I**

Respondent is charged with soliciting or encouraging a romantic or otherwise inappropriate relationship with a student, in violation of 282 Iowa Administrative Code rule 25.3(1)(e)(4).

## **STIPULATIONS**

1. Respondent holds an INITIAL LICENSE (FOLDER # 1019666) with the following endorsements: K-8 Physical Education, 5-12 Health, 5-12 Physical Education, K-12 Athletic Coach. Respondent's initial license is current and expires on April 30, 2020. Respondent also holds a Class B License, which expires on June 30, 2019, and a Coaching Authorization, which expires on April 13, 2020.

2. During the relevant facts of this matter, was an employee of the Indianola Community School District and the Collins-Maxwell Community School District.

3. On February 15, 2018, the Board of Educational Examiners received a complaint against Respondent alleging a violation of the Code of Ethics.

4. On June 15, 2018, the Board found probable cause to proceed to hearing based upon the facts set forth in paragraph 5 below.

5. The Respondent admittedly developed relationships with students exceeding the appropriate bounds of a student-teacher relationship.

## **SETTLEMENT AGREEMENT**

6. This Combined Statement of Charges, Settlement Agreement, and Final Order constitutes the final resolution of a contested case proceeding and shall have the force and effect of a disciplinary order entered following a contested case hearing.

7. In order to resolve this matter without proceeding to hearing, Respondent agrees to the following conditions:

- a. Respondent accepts a WRITTEN REPRIMAND.
- b. Respondent agrees his license will be SUSPENDED for a minimum period of THREE YEARS, beginning on the date of his resignation from Collins-Maxwell Community School District on March 22, 2018. Respondent agrees he bears the burden of applying for reinstatement pursuant to 282 Iowa Administrative Code rule 11.34 and the burden of proving the basis for his suspension no longer exists and that it will be in the public interest to reinstate his license. Additionally, Respondent agrees he is not eligible for reinstatement until he satisfactorily completes the requirements of subparagraphs (c) and (d) below.
- c. Respondent agrees to successfully complete at least fifteen in-person contact hours in "Ethics for Educators." This course is offered by the ISEA. Respondent is responsible for all costs associated with the completion of the educational course. Respondent shall provide the Board with proof of completion of the Ethics for Educators course prior to reinstatement.

- d. Respondent agrees to undergo a mental health evaluation that includes an assessment of his ability to establish and maintain appropriate teacher-student boundaries. This evaluation shall be performed by a licensed professional selected by Respondent, with prior approval by the Board's Executive Director. Respondent shall provide the professional a copy of this Combined Settlement and Final Order prior to the mental health evaluation. Respondent shall ensure the Board receives a copy of the evaluation report from the approved professional within THIRTY (30) DAYS of the completion of the mental health evaluation. Respondent shall comply with any recommendations for treatment and/or training resulting from the evaluation and must successfully complete any recommended boundaries counseling. Respondent is responsible for all costs of the evaluation and any treatment and training. Respondent is not eligible for reinstatement until the Board determines he has satisfactorily completed this requirement.

#### LICENSEE DECLARATION

I understand that this Settlement Agreement and Final Order is subject to the approval of the Board and will have no force or effect if it is not accepted by the Board.

I understand State's counsel will present this Settlement Agreement and Final Order to the Board *ex parte*.

I agree to comply with the requirements set forth in the stipulations and requirements of this Settlement Agreement and Final Order and understand that my failure to do so can result in additional discipline of my licenses.

I understand that this Settlement Agreement and Final Order is a public record, which will become part of my permanent licensure file and will be available for public inspection and reproduction.

I understand that my name will be added to the national clearinghouse database kept by the National Association of State Directors of Teacher Education and Certification (NASDTEC).

8-6-18  
Date

MacKenzie Van Zante  
MacKenzie Van Zante, Respondent

## ORDER

IT IS THE FINAL ORDER OF THE IOWA BOARD OF EDUCATIONAL EXAMINERS THAT:

1. The conduct with which Respondent has been charged constitutes a violation of the Code of Professional Conduct and Ethics governing the teaching profession. Respondent is REPRIMANDED for the charged conduct.

2. Respondent's license will be SUSPENDED for a minimum period of THREE YEARS, beginning on March 22, 2018. Respondent bears the burden of applying for reinstatement pursuant to 282 Iowa Administrative Code rule 11.34 and the burden of proving the basis for his suspension no longer exists and that it will be in the public interest to reinstate his license. Additionally, Respondent is not eligible for reinstatement until he satisfactorily completes the requirements of paragraphs 3 and 4 below.

3. Respondent shall successfully complete at least fifteen in-person contact hours in "Ethics for Educators." Respondent is responsible for all costs associated with the completion of the educational course. Respondent shall provide the Board with proof of completion of the Ethics for Educators course prior to reinstatement.

4. Respondent shall undergo a mental health evaluation that includes an assessment of his ability to establish and maintain appropriate teacher-student boundaries. This evaluation shall be performed by a licensed professional selected by Respondent, with prior approval by the Board's Executive Director. Respondent shall provide the professional a copy of this Combined Settlement and Final Order prior to the mental health evaluation. Respondent shall ensure the Board receives a copy of the evaluation report from the approved professional within THIRTY (30) DAYS of the completion of the mental health evaluation. Respondent shall comply with any recommendations for treatment and/or training resulting from the evaluation and must successfully complete any recommended boundaries counseling. Respondent is responsible for all costs of the evaluation and any treatment and training. Respondent is not eligible for reinstatement until the Board determines he has satisfactorily completed this requirement.

5. In determining the appropriate sanction to impose in this case, the Board has considered the nature and seriousness of the allegations as well as mitigating circumstances.

Dated this 22<sup>ND</sup> day of August, 2018.



Ann Lebo, Executive Director  
Iowa Board of Educational Examiners

Copies to:

MacKenzie Van Zante  
RESPONDENT

Christy Hickman  
ATTORNEY FOR RESPONDENT

Allison Schmidt  
ATTORNEY FOR THE STATE